

REMARKS

Summary of the Claim Amendments

Claims 1, 11 and 21 have been amended to further emphasize that a new version of the original electronic writing is created by the present invention — a version that has inserted into it at least one editorial marking.

This emphasis has been added to further distinguish the present invention from that of the cited invention of Newbold et al. (USPN 5,576,955) that is essentially a proofreading device that one uses independently, and in which no new version of the original writing is created that contains the editorial markings of an editor or teacher.

Response to Examiner's Earlier (1/27/05) Claim Rejections

Favorable reconsideration of this application, in light of the amendments herein and the following discussion, is respectfully requested.

L. Rejection of unamended Claims 1-3, 7-8, 10-13, 17-18, 20-23, 27-28 and 30 Under §103(a) As Being Obvious In View Of USPN 5,576,955 to Newbold et al.

The Applicant respectfully argues that the Examiner commits clear error in this rejection because:

With respect to independent and unamended Claims 1, 11 and 21, these claims are not obvious in view of Newbold et al. because:

the Examiner clearly mischaracterizes portions of the Newbold invention which leads him to incorrectly assert that portions of Newbold are comparable to analogous parts of the claimed invention.

For example:

The step in Claim 1 of “inserting said marking into said electronic writing” is not, as the Examiner asserts, disclosed in Newbold’s col. 8, lines 43-59.

What is disclosed at col. 8, lines 43-59 is “how the invention of Newbold uses a “Message Window,” which the invention creates and displays on the same video display that is

showing a text window which displays the word processing document on which proofreading assistance is desired, to display a descriptive message regarding the current error that is highlighted with a shaded box in the text window ...”

Neither the cited portion, or any other portion, of Newbold discloses “inserting an editorial marking into the original electronic writing thereby creating an effective new version of the original electronic writing that has inserted into it editorial markings - a version which can be returned to author of the original electronic writing to give him/her feedback, which he/she can use as they like to make any desired changes to his/her electronic writing.”

Similarly, the analogous limitations in Claims 11 (i.e., “means for inserting said marking into said electronic writing”) and 21 (i.e., “means for inserting said marking into said electronic writing”) cannot be found in Newbold.

Dependent claims 2-3, 7-8, 10, 12-13, 17-18, 20, 22-23, 27-28 and 30, which depend from Claim 1 or its equivalents 11 and 21, are nonobvious, (regardless of the limitations introduced by these dependent claims or the nature of the disclosure in Newbold) because these claims effectively depend from independent claims 1, 11 or 21 which, for the reasons given above, are nonobvious.

Finally, it can be noted that these observation are pertinent, even though they relate to the earlier, unamended claims, because the nature of the amendments made herein serve to further clarify and specifically claim this invention’s unique ability to create “a new version of the original electronic writing – a version that has inserted into it editorial markings.”

II. Rejection of Dependent Claims 4-6, 9, 14-16, 19, 24-26 and 29 Under §103(a) As Being Obvious In View Of Newbold et al. (USPN 5,576,955) and Driscoll et al. (USPN 5,987,302)

The Applicant respectfully argues that the Examiner commits clear error in this rejection because:

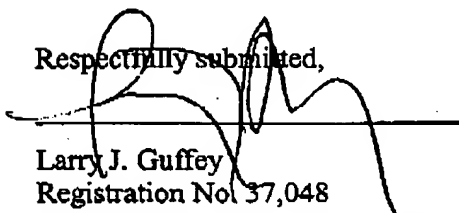
Dependent Claims 4-6, 9, 14-16, 19, 24-26 and 29, which depend directly from Claim 1 or its equivalents 11 and 21, are nonobvious, (regardless of the limitations introduced by these claims or the nature of the disclosure in Driscoll) because these claims effectively depend from independent claims 1, 11 or 21 which, for the reasons given above, are nonobvious.

REQUEST FOR RECONSIDERATION

In view of the above, it is submitted that the Applicant's amended claims are in condition for allowance. Reconsideration and allowance of amended claims 1-30 are requested.

Alternatively, with few amendments, it is submitted that these claims could easily be placed in a condition for allowance. The Applicant hereby requests that the Examiner establish informal communications with the Applicant's Attorney for the purposes of determining what form such amendments might take.

Respectfully submitted,


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4/19/05
 Date

CERTIFICATE OF FACSIMILE TRANSMISSION

Date of Transmission: 4/19/05

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